IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND SIX

PRESENT
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.14623 of 1999

Between:

Pioneer Products Ltd., regd. Office Pioneer House,
14, Inder Enclave, Opp: Udyognagar, Rohatak Road,
New Delhi, Rep. by its Zonal Manager.

..... PETITIONER

AND

1.The Commissioner and Director of Agriculture,
Department of Agriculture, Fateh Maidan Road,
Gunfoundry, Hyderabad, and 15 others.

.....RESPONDENTS

ORDER:

This Writ Petition is filed seeking a mandamus declaring the action of the respondents in releasing and publishing a list of manufacturers whose track record is 'not satisfactory' by including the name of the petitioner in such list as arbitrary, illegal, violative of principles of natural justice and contrary to the provisions of Insecticides Act, 1968 and Insecticides

Rules, 1971.

The petitioner-firm is carrying on its business of manufacturing pesticides for the past several years According to the petitioner, it was never been accused of, nor has been called upon to answer any charge of either manufacturing, distributing or selling any products which do not conform to the relevant specifications. Even though several tests have been conducted at random of products of the petitioner by the Department of Agriculture, they were never found to be either lacking in quality or being sub-standard or being mis-branded. While so, the impugned notification has been published including the petitioner's name in the list of 'non-satisfactory' manufacturers. According to the petitioner, no notice of any kind was issued and no enquiry of any nature was conducted before taking such a decision, and the same was not approved by higher authorities.

In view of the above, without expressing any opinion on merits, the respondent-authorities are directed to conduct a detailed enquiry into the matter, after putting the petitioner on notice, and pass appropriate orders as per law. Till such time, the impugned order shall not be given effect to for any purpose.

Writ Petition is, accordingly, disposed of. No costs.

07-07-2006

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